

Remarks

Claims 2-3, 102 and 107 are canceled. New claims 108-109 are added above. Claims 1, 4-13, 101, 103-106 and 108-109 are now pending.

Claim 1 has been amended above to incorporate the subject matter of prior dependent claims 2 and 3. Per the indications in the action, this amendment should place claim 1, as well as dependent claims 4-13 in allowable condition.

Claim 101 has been amended above to incorporate the subject matter of prior dependent claim 102. Per the indications in the action, this amendment should place claim 101, as well as dependent claims 103 and 104 in allowable condition.

Drawing Objections

Claim 107 has been canceled, mooting the drawing objection.

Claim Rejections – 35 USC §103

The rejection of claim 105 as being unpatentable over Hansen (6,987,246) is respectfully traversed.

Claim 105, as amended, requires an air admission duct that extends between a high end and a low end, the high end opening out outside the regulation chamber and the enclosure, and the low end being within the liquid in the regulation chamber when the level of the liquid corresponds substantially to the high level such that the low end is closed by contact with the liquid in the regulation chamber *so as to prevent outside air from entering the air admission duct and passing to the enclosure via the air inlet for purpose of humidity control by varying the water level in the regulation chamber.*

The Examiner's obviousness rejection based upon Hansen is premised upon the assertion that the Hansen structure performs the same functions as the claimed device, but this is not the case. Specifically, with respect to the ability to govern humidity within the enclosure, the claimed invention achieves this by varying the water level in the regulation chamber to control whether outside air is able to enter the air admission duct and pass to the enclosure. As

acknowledged by the Examiner, when the water level is below the low end of the duct, outside air can enter. Likewise, when the water level is above the low end of the duct, outside air cannot enter. Unless the low end of the air admission duct is within the liquid when the liquid is at the higher level, there is in fact no control of humidity because outside air can enter freely at all times. Thus, Hansen is not able to control humidity in the manner specified in the present patent application. It is therefore clear that the design critical feature of humidity control specified in the patent application is not achieved in Hansen by submerging duct 202 to prevent outside air from entering the duct 202. It is noted that Hansen does not teach duct 202 as being used for air admission, but instead speaks only of duct 202 being used for venting. Note that in the Hansen device it is actually line 62 (or in the case of Fig. 5 line 212) that is used to admit air into the enclosure. For this reason, it is clear that the claimed invention specified in claim 105 does in fact function differently than the Hansen device, and the obviousness rejection based upon Hansen should be withdrawn.

New dependent claim 109 further specifies the low end of the air admission duct is above the liquid in the regulation chamber when the level of the liquid is at the low level, thereby enabling outside air to enter the air admission duct and pass to the enclosure via the air inlet without being blocked by liquid. Hansen also does not teach this feature or function. Note that in the Hansen device the low end of tube 114 is always submerged in the condensate of the box 104, 104A. Accordingly, claim 109 further patentably distinguishes over Hansen.

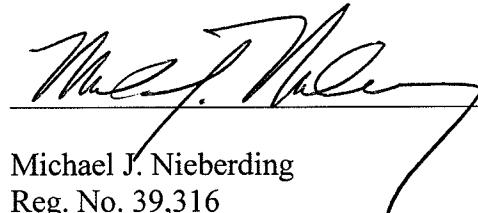
Conclusion

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

The Commissioner is hereby authorized to charge any additional fees required (including the fee for any extension of time), or to credit any overpayment, to Deposit Acct No.: 20-0809.

The examiner may contact the undersigned attorney with any questions regarding this paper.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael J. Nieberding". It is written in a cursive style with a horizontal line underneath it.

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